THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.28187 of 2007

Dated: 28.12.2007

Between:

P.Damodar Naidu and 4 others.

....
PETITIONERS

AND

The Deputy Registrar of Cooperative Societies/
Divisional Cooperative Officer,
Secunderabad Division,
Hyderabad and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO. 28187 of 2007

Order:

Challenging the notice dated 15.12.2007 issued by the 2nd respondent society demanding the petitioners herein to pay the amounts allegedly due from them towards the additional cost of land and betterment charges, the petitioners herein preferred ARC No.47/07 JI under Section 61 of the A.P. Cooperative Societies Act, 1964 before the Deputy Registrar of Cooperative Societies, the 1st respondent herein along with an interlocutory application seeking stay of further proceedings. The grievance of the petitioners in this writ petition is that though there is urgency in the matter, the I.A was not disposed of by the 1st respondent and on the other hand, the 2nd respondent is insisting for payment of the amount demanded vide the impugned notice dated 15.12.2007.

Heard the learned counsel for the 2nd respondent society as well as the learned Government Pleader for Cooperation also. All the learned counsel agreed for the disposal of the writ petition with the following directions.

1. The 1st respondent is directed to dispose of the interlocutory application filed by the petitioners herein in ARC No.47 of 2007 within a period of one week from today.
2. Till such time, the 2nd respondent undertakes that it is not going to insist for the payment of the amount vide

the impugned notice dated 15.12.2007. It is made clear that if the petitioners' does not cooperate for the disposal of the interlocutory application, the 1st respondent is at liberty to pass appropriate orders.

With the above directions, the writ petition is disposed at the admission stage.

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N.V. RAMANA, J.

Date: 28.12.2007

Note: Issue CC in two days

msv